

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed April 10, 2003. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 102(b)

A. Statement of the Rejection

Claims 1-4, 7-11, 15-16, and 19 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Schneider et al. ("Schneider," U.S. Pat. No. 5,929,897).

The rejection states that Schneider discloses Applicant's invention as recited in the above-identified claims. Applicant respectfully traverses this rejection.

B. The Schneider Reference

Schneider discloses an Automated Teller Machine (ATM) that is provided with video conference equipment that allows an ATM customer to video conference with a bank representative. In contrast to Applicant's inventions, Schneider does not disclose, teach, or suggest providing video conferencing in conjunction with a peripheral device.

C. Discussion of the Rejection

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of *each element* of the claim under consideration." W. L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983)(emphasis added). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(b).

As noted above, several amendments have been made to the claims, including independent claims 1, 7, and 15. Applicant respectfully submits that the rejections are moot in view of these amendments in that the rejections were formulated in view of the claims as originally filed.

In this regard, Applicant notes that, as identified above, Schneider only discloses an ATM. No mention is ever made of applying any communication concepts to a peripheral device. As is known in the art, the term “peripheral device” has a specific meaning that clearly excludes an ATM. Examples of various peripheral devices are provided in Applicant’s specification on page 5.

In view of the above, Applicant respectfully requests that the rejection of the claims under Schneider be withdrawn.

II. Claim Rejections - 35 U.S.C. § 103(a)

A. Rejection of Claims 5-6, 12-14, and 17-18

1. Statement of the Rejection

Claims 5-6, 12-14, and 17-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneider in view of Houghton et al. (“Houghton,” U.S. Pat. No. 6,009,153).

The rejection alleges that Schneider discloses Applicant’s invention substantially as claimed with the exception of presenting a customer support representative with information about the status and settings of an electrical device, and permitting the customer support representative to change settings of the electrical device. The rejection concludes, however, that in view of the Houghton disclosure, it would have been obvious to a person having ordinary skill in the art to provide these aspects in the Schneider system. Applicant respectfully traverses this rejection.

2. Discussion of the Rejection

As identified above in reference to independent claims 1, 7, and 15, Schneider fails to disclose or teach several limitations contained in Applicant's claims. In that Houghton does not remedy these deficiencies of the Schneider reference, Applicant respectfully submits that claims 5-6, 12-14, and 17-18, which depend from claims 1, 7, and 15, respectively, are allowable over the Schneider/Houghton combination for at least the same reasons that claims 1, 7, and 15 are allowable over Schneider.

In addition to the above, Applicant respectfully objects to the proposed combination. As is well established in the law, teachings of references can be combined only if there is some suggestion or incentive to do so. ACS Hospital Systems, Inc. v. Montefiore Hospital, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, there must be a teaching in the relevant art which would suggest to a person having ordinary skill in that art the desirability of incorporating features of the Houghton system into the Schneider system.

In the present case, there is no teaching in the art to incorporate the data mining performed by the Houghton system into the Schneider system. Although such data mining is performed for peripheral devices, the practice is not used for ATMs. Without an adequate teaching in the prior art to perform such mining in regard to an ATM, the proposed combination cannot be considered to be proper under 35 U.S.C. § 103(a).

In summary, it is Applicant's claims are allowable over Schneider and Houghton. Therefore, it is respectfully requested that the rejections be withdrawn.

B. Rejection of Claim 20

1. Statement of the Rejection

Claim 20 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Roztocil (GB 2288100A) in view of Grossi et al. ("Grossi," U.S. Pat. No. 5,604,341).

The rejection alleges that Roztocil discloses Applicant's invention substantially as claimed with the exception of a display configured to present video data of a customer support representative, and a video camera configured to present video data of the user. The rejection concludes, however, that in view of the Grossi disclosure, it would have been obvious to a person having ordinary skill in the art to provide such features in the Roztocil system. Applicant respectfully traverses this rejection.

2. Discussion of the Rejection

As noted above in the discussion of the rejection under 35 U.S.C. § 102(b), ATMs may not be properly considered to be "peripheral devices." Moreover, an ATM would not be considered to be a "printer" despite providing transaction receipts to a user. For at these reasons, the Grossi reference, which only pertains to ATMs, would not be considered by a person having ordinary skill in the art to modify the Roztocil system, which pertains to "reproduction apparatus" such as printers. In other words, the Grossi reference comprises non-analogous art in relation to the Roztocil system. Because of this fact, the combination is improper under 35 U.S.C. § 103(a).

III. Newly Added Claims

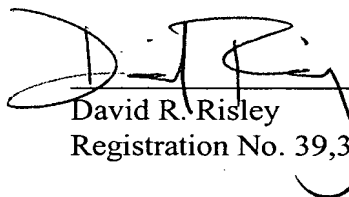
As identified above, claims 21-28 have been added into the application through this response. Applicant respectfully submits that these new claims describe an

invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.

CONCLUSION

Applicant respectfully submits that pending claims 1-28 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

July 10, 2003
Mary Megan
Signature

ANNOTATED VERSION OF MODIFIED CLAIMS TO SHOW CHANGES MADE

The following claims have been amended by deleting the bracketed (“[]”) portions and adding the underlined (“ ”) portions.

1. (Once amended) A method for providing customer support to [an electrical] a peripheral device user, comprising the steps of:

establishing a communications link between a customer support representative and the user with a customer support unit [associated] integrated with the [electrical] peripheral device; and

transmitting communications of the customer support representative to the user while the user is at the [electrical] peripheral device via the customer support unit.

2. The method of claim 1, wherein the step of transmitting communications of the customer support representative comprises the step of transmitting audio and video data of the customer support representative to the customer support unit.

3. (Once amended) The method of claim 1, further comprising the step of transmitting communications of the user to the customer support representative via the customer support unit while the user is at the [electrical] peripheral device.

4. The method of claim 3, wherein the step of transmitting communications of the user comprises the step of transmitting audio and video data of the user to the customer support representative.

5. (Once amended) The method of claim 1, further comprising the step of presenting the customer support representative with information about the status and settings of the [electrical] peripheral device by providing that information using the peripheral device.

6. (Once amended) The method of claim 5, further comprising the step of permitting the customer support representative to change settings of the [electrical] peripheral device.

7. (Once amended) A system for providing customer support to [an electrical] a peripheral device user, comprising:

means integrated with the peripheral device for transmitting customer support representative communications across a network; and

means for presenting the customer support representative communications to a user at the [electrical] peripheral device.

8. The system of claim 7, wherein the means for transmitting customer support representative communications comprises a microphone and video camera that are adapted to receive audio and video data of the customer support representative and wherein the means for presenting the customer support representative

communications to the user comprises a speaker and a display that provide the user with audio and video data of the customer support representative.

9. The system of claim 8, wherein the means for transmitting customer support representative communications further comprises network interface devices.

10. The system of claim 7, further comprising means for transmitting user communications to the customer support representative.

11. The system of claim 10, wherein the means for transmitting user communications to the customer support representative comprises a microphone and video camera that are adapted to receive audio and video of the user.

12. (Once amended) The system of claim 7, further comprising means comprised by the peripheral device for presenting information regarding [electrical] peripheral device status and settings to the customer support representative.

13. (Once amended) The system of claim 12, wherein the means for presenting information regarding [electrical] peripheral device status and settings comprises a web server module.

14. (Once amended) The system of claim [7] 12, further comprising means for allowing the customer support representative to change settings of the [electrical] peripheral device.

15. (Once amended) A system for providing customer support to a user of [an electrical] a peripheral device, comprising:

a customer support unit that is adapted to be integrated with and electrically connected to the [electrical] peripheral device, the customer support unit comprising a speaker and a display that are adapted to present audio and video data of a customer support representative to the user; and

network interface devices that are adapted to transmit and receive communications across a network.

16. The system of claim 15, wherein the customer support unit further comprises a microphone and video camera that are adapted to capture audio and video data of the user.

17. The system of claim 15, wherein the network interface devices include a modem adapted for transmitting and receiving communications across the Internet.

18. (Once amended) The system of claim 15, further comprising a web server module of the peripheral device adapted to generate web pages containing information about the status and settings of the [electrical] peripheral device.

19. The system of claim 15, further comprising a communications module that is adapted to facilitate communications between the system and a customer support representative.